

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.133 OF 2021
WITH
CRIMINAL APPLICATION NO.134 OF 2021
WITH
CRIMINAL APPLICATION NO.135 OF 2021**

Naresh Himmatsingh Rajawat ... Applicant
Vs
The State of Maharashtra ... Respondents

...

Ms. Saili N. Dhuru for the Applicant in three applications.

Mr. S.R.Agarkar, APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : 31st MAY, 2021.

P.C. :

Heard.

2 The applicant was released on bail by the learned Metropolitan Magistrate, 28th Court, Esplanade, Mumbai in Crime No.71 of 2021, 80 of 2021 and 65 of 2021 vide orders

dated 20th April, 2021 on executing personal bonds in the sum of Rs.1,00,000/- each.

3 Applicant, sought modification of bail conditions. The learned Additional Sessions Judge vide orders dated 7th May, 2021 modified bail conditions and directed release of the applicant on furnishing P.R. Bond of Rs.25,000/- each with one or two sureties in the like amount.

4 Taking recourse to the provisions of Section 439(1)(b) of the Code of Criminal Procedure, 1973, applicant seeks permission to furnish cash bail for temporary period of one month so as to enable him to furnish the bond as directed by the learned Sessions Judge.

5 Submission is that, applicant shall arrange for sureties and comply with the bail conditions, as modified within one month from his release. It is, therefore, prayed

that applicant be released on provisional cash bail of Rs.25,000/- each for a period of one month.

6 Mr. Agarkar, learned Additional Public Prosecutor, has opposed the submission.

7 In consideration of the facts of the case and prevailing COVID-19 pandemic situation, applicant is directed to be released on provisional cash bail in the sum of Rs.25,000/- each in Crime No.71 of 2021 registered with LT Marg Police Station; Crime No.80 of 2021 registered with LT Marg Police Station and Crime No.65 of 2021 registered with LT Marg Police Station for the offences punishable under Section 409, 420 read with Section 34 of the Indian Penal Code, 1860 for the period of 45 days.

8 The applicant-accused within 45 days of his release on bail, shall comply with the modified bail

conditions (as modified by the learned Sessions Judge) failing which he shall surrender to the concerned police station.

9 Applicant shall furnish his permanent residential address and contact number to the Investigating Officer through his friend before his release on provisional cash bail, which Investigating Officer shall verify.

10 Applications are allowed in the aforesaid terms.

11 Copy of this order be placed in each of the applications.

(SANDEEP K. SHINDE, J.)